



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 2306825

Proponent Name: Chad Lorentz with Runberg Architects for
Merrill Gardens at Queen Anne LLC.

Address of Proposal: 800 4th Ave. North

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of a three-story, 39-unit apartment building. Surface parking for 4 vehicles and below grade parking for 45 vehicles to be provided all accessed from the alley. Project includes grading of 3,470 cu. yds. of material and future demolition of existing structure.

*Note: the project description has been revised from the original notice of application.

The following approvals are required:

Design Review pursuant to Seattle Municipal Code (SMC) 23.41
Design Departures for lot coverage.

SEPA - Environmental Determination pursuant to SMC 25.05

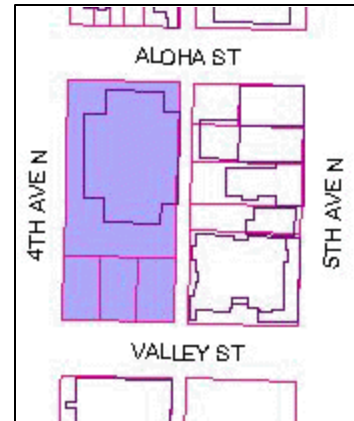
SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction

BACKGROUND & VICINITY INFORMATION:

The proponent has applied to redevelop a rectangular shaped site in the lower Queen Anne neighborhood. The proposal is three multifamily residential structures connected by two transparent enclosed walkways. A residential common space will be located in the first level of the center residential structure. A total of 39-dwelling units and below grade parking for 49 vehicles accessed from an alley east of the site are proposed.



The 31,218 sq. ft. project site covers the western half of a city block and is located at the southeast corner of Aloha Street and 4th Avenue North and has 120' and 260' of street frontage respectively, improved with full curbs and gutters. The topography of the site slopes downward approx. 24' from the northwest corner to the southwest corner. In order to accommodate the existing building¹ and an adjacent surface parking lot, the site's natural topography was altered by grading down the northwest corner of site and berming up the southeast corner of the site. The alley to the east is currently semi-improved and will require improvements. Zoning for the site is Multifamily Residential Lowrise 3 (L3).

The properties north of the site are a three story townhouse development, a single family structure, and a four story apartment structure. To the east of the site, zoned Neighborhood Commercial 2 (NC2) with a 40' height limit, are a vacant one and a half story brick structure, a two story office building, a three story residential structure that has been converted in commercial use at the ground level, a single family structure, and a four story mixed use structure. The property to the south is a four story apartment structure. The property to the west is a two to three story vacant school administration office. However, that property is the subject of a 155 unit assisted living facility proposal (see MUP file 2301966) that relates to this project. Generally, the development in the neighborhood consists of single family structures, 1950s styled apartment buildings and new development of two to three story townhomes with street level garages. Due to the south sloping topography of Queen Anne Hill, there are views of the Space Needle and downtown. The site is in close proximity to the Seattle Center and the Queen Anne commercial area.

Public Comment, Design Review:

Three Design Review meetings were held on this proposal and included opportunities for public comments; Early Design Guidance meetings were held on December 17, 2003 and on February 18, 2004 and the Recommendations meeting on April 21, 2004. The public's comments focused on the siting of the structures, the bulk and scale of those structures, quality/quantity of landscaping and open space on site, location of street trees, and exterior materials and treatments that would be used on the structures. Refer to the Master Use Permit (MUP) file for details on these meetings.

¹ Once used by Seattle's School District as a computer administration office.

ANALYSIS - DESIGN REVIEW

At the meetings noted above, the Design Review Board members provided siting and design guidance to be considered in the development of the site. In response to the Board's guidance and recommendations, the proponent applied for a Master Use Permit (MUP) on March 23, 2004.

DESIGN GUIDELINE PRIORITIES:

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily & Commercial Buildings*," November 1998, of highest priority to this project.

| A. Site Planning | |
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| <p>A-1 Responding to Site Characteristics:</p> <p>Solar Orientation – The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.</p> | <p><u>Response by the proponent:</u></p> <p>Solar Orientation – The residential units ALL have east or west exposure; morning or evening light. There is a roof deck on the south pod at the L3 level giving a common gathering point with maximum southern exposure.</p> <p>Natural Features – The building is sited to preserve existing trees on the west side of the site.</p> <p>Topography – The main access is at existing grade and ground floor units all have walkout patios. The south pod steps down to meet the existing grade along Valley St. Retaining walls are used at the northwest corner to step DOWN from the sidewalk level. These walls are terraced to allow for intermediate planters. A south retaining wall is used to mitigate between the entry grade 126'-6" and the south grade of 117'-0". The grades will be cut down and graded up on each side of the retaining wall to minimize the overall height of this wall.</p> <p>Significant Views – South facing units on upper stories will have views to the Space Needle and Downtown Seattle. The three pods are offset slightly to maximize the amount of units with views. A rooftop garden is located on the south pod.</p> |
| <p>A-2 Streetscape Compatibility</p> <p>The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.</p> | <p><u>Response by the proponent:</u></p> <p>The project was sited with significant input from the neighborhood and DRB boards. The buildings further reinforce a view corridor looking south down 4th Ave. N. and match the spatial arrangement of the phase I project to the West creating an integrated urban design.</p> |
| <p>A-3 Entrances Visible from Street</p> <p>Entries should be clearly identifiable and visible from the street.</p> | <p><u>Response by the proponent:</u></p> <p>The entry is through the center building designated by a water feature and change in paving pattern. It is further reinforced by axial relationship to the porte cochere and main entry of the Phase I project across the street.</p> |

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| <p>A-4 Human Activity</p> <p>New development should be sited and designed to encourage human activity on the street.</p> <p><u>The Board's comments:</u> <i>Alter level 1 plan for the common space to place residential activities closer to 4th. Ave. N.</i></p> | <p>Residential apartments face the street and have patios on the lower floors and balconies on the upper levels. Residential living space faces all four streets creating a greater sense of security with "more eyes on the street".</p> <p>A large amount of open space is designated on west side of the site with semi-public patios with outdoor sitting areas, a walking path, and public art. An attractive, highly transparent fence will be installed insuring the security of the residents.</p> <p>The library and gaming area are located closest to the street, suggested by the DRB board, to concentrate the areas of most activity near the street and main entry.</p> |
| <p>A-5 Respect for Adjacent Sites</p> <p>Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.</p> | <p><u>Response by the proponent:</u></p> <p>The north pod is located in the northeast corner of the site to preserve views for the townhomes to the north and south pod has been sited to the west, giving ample distance from the alley and respecting existing residential units facing the alley in the adjacent building.</p> <p>The building mass is broken up to reflect residential scale of adjacent buildings (townhomes).</p> <p>The north buildings are 8' lower than the sidewalk grade at the northwest corner, minimizing view obstructions to the north residences.</p> |
| <p>A-6 Transition between Residence and Street</p> <p>For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.</p> | <p><u>Response by the proponent:</u></p> <p>The project has significant setbacks on all sides and uses fencing and landscaping to transition from the public realm to semi-private open space to private residences.</p> |
| <p>A-7 Residential Open Space</p> <p>Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.</p> | <p><u>Response by the proponent:</u></p> <p>The project creates viable open space on ALL sides of the project and enhances the alley by stepping back, creating patios off the alley and adding significant landscaping. The open space on the west side has a balance of hard scape patios with sitting areas off of the indoor common spaces to gravel paths leading to small, quaint sitting areas on opposite ends of the site.</p> |
| <p>A-8 Parking and Vehicle Access</p> <p>Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.</p> <p>C-5 Structured Parking Entrances</p> <p>The presence and appearance of garage entrances should be minimized so that they</p> | <p><u>Response by the proponent:</u></p> <p>The parking garage is internalized, below grade, and not visible. The parking garage entrance is off of the alley, at the low point of the site, and the shortest vehicular access path from the major arterials (Mercer Street and Roy Street). The van loading and unloading is in the alley off of the east entrance of the common space and 4 guest stalls are located adjacent to the loading area for easy access for visitors to the facility.</p> |

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| do not dominate the street frontage of a building. | |
| A-10 Corner Lots Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners. | <u>Response by the proponent:</u> On this project (opposite to phase I) the corners are left “lighter” with more transparency at the corners. Massing, in the form of brick piers are internalized along the façade creating a dynamic relationship between the two projects. The facades are highly modulated and articulated as they turn the corner; bays, decks, materials, and color both break up the façade, and carry continuity throughout the four elevations. |

| B. Height, Bulk and Scale | |
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| B-1 Height, Bulk and Scale Compatibility Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones. <u>The Board's comments:</u> <i>Building A's roof form should be altered from a pitched roof to a flat roof, thus creating a northern elevation similar to the southern elevation.</i> | <u>Response by the proponent:</u> The project does not exceed the maximum height of the SLUC (30' + 5' pitched roof bonus). The project follows the existing topography and steps down at the south elevation to create units at street level rather than the blank wall of the parking garage. The project bulk is centered and offset to create a view corridor down 4 th Ave. N and enhance the spatial relationship to the alley. Transparent walkways connect the structures, providing a visual break along the façade. Scale is reduced through modulation both vertically and horizontally. Details such as metal marquees, trellis', and articulated decks add visual interest both from a distance and up close. Landscape is used to create a buffer from public to private |

| C. Architectural Elements and Materials | |
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| C-1 Architectural Context New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings. | <u>Response by the proponent:</u> No definite architectural pattern is established by the surrounding neighborhood context, however, the Queen Anne neighborhood has a long history of Victorian and Craftsman style homes. The project is highly modulated to fit the existing pattern and scale of the neighborhood. Color is used to differentiate center buildings from the corner buildings. Pitched roof form of the center building gives the building a residential quality and differentiates it from the north and south pod. Dormers breakdown the overall size of the roof. Flat roofs on the north and south pod were requested by the DRB board to further enhance the “popping up” of the clerestories. Elevations reflect varying adjacencies of the site, yet have a strong |

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| | continuity through form, materials and detailing. |
| <p>C-2 Architectural Concept and Consistency</p> <p>Building design elements, details, and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.</p> <p>Buildings should exhibit form and features identifying the functions within the building.</p> <p>In general, the roofline or top of the structure should be clearly distinguished from its façade walls.</p> <p><u>The Board's comments:</u> <i>The character of the buildings should be compatible with the future development of the site to the west-the use of brick and a contrasting color pallet is preferred over simplified cladding materials.</i></p> <p>C-4 Exterior Finish Materials</p> <p>Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.</p> <p><u>The Board's comments:</u> <i>All materials shall be highly durable and maintainable</i></p> | <p><u>Response by the proponent:</u></p> <p>Material changes, trim and belly bands delineate a base, middle and top to create a well proportioned building.</p> <p>A consistent palette of materials with slight variations is used through out the project.</p> <p>Window fenestration patterns relate to functions within the building . Storefront systems are used to delineate common gathering space.</p> <p>The roofline is clearly distinguishable from the exterior walls and highly modulated to avoid long linear boxes or ridgelines.</p> <p>Exterior materials are durable and maintainable, relate to the surrounding context and include a significant amount of brick, as requested by the board.</p> <p>Variation in textures are achieved through the use of brick, vertical siding, horizontal board and batten and corrugated metal.</p> |
| <p>C-3 Human Scale</p> <p>The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.</p> | <p><u>Response by the proponent:</u></p> <p>Trellises, wrought iron fencing, and street-level lighting are provided.</p> <p>Brick expression includes soldier coursing, precast lintels, and insets to give a sense of human scale.</p> <p>Streetscape includes extensive landscaping, pavers, and wrought iron fencing</p> |

D. Pedestrian Environment

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| <p>D-1 Pedestrian Open Spaces and Entrances</p> <p>Convenient and attractive access to the building's entry should be provided. To</p> | <p><u>Response by the proponent:</u></p> <p>Entrances are recessed and covered for weather protection.</p> <p>Entrances are well lit and visable for security.</p> |
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| <p>ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.</p> <p>D-2 Blank Walls</p> <p>Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.</p> <p>D-3 Retaining Walls</p> <p>Retaining walls near public sidewalk that extend higher than eye level should be avoided where possible. Where high retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscape.</p> <p>D-6 Screening of Dumpsters, Utilities and Service Areas</p> <p>Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.</p> <p>D-7 Personal Safety and Security.</p> <p>Project design should consider opportunities for enhancing personal safety and security in the environment.</p> | <p>Planters, trellises, art and water features and decorative fencing will be used to “soften” the wall and create a desirable outdoor space.</p> <p><u>Response by the proponent:</u></p> <p>Blank walls at stairwells have trellises and climbing plants and windows.</p> <p><u>Response by the proponent:</u></p> <p>Retaining walls are provided at the northwest corner of the site. The sidewalk is 8’ higher than the existing grade. Terraced walls with planters will be used to soften the transition between grades.</p> <p>The south retaining wall at the point that building C steps down will be minimized in height by grading down at the higher grade and up at the lower grade. A decorative fence will separate the two grades.</p> <p><u>Response by the proponent:</u></p> <p>Recycling and dumpsters are located in the parking garage and are accessed via the alley.</p> <p><u>Response by the proponent:</u></p> <p>Personal security is high priority for senior housing. We have created an environment that is both very open, yet secure. From the public realm at the sidewalk, transparent fencing adds security for the residents, yet allows visual connection. The significant setbacks give the opportunity to use landscaping to transition from semi-public open space to private patios off of units. The main entry has a reception desk staffed 24 hours a day 7 days a week to monitor activity and maximum glazing throughout the common space allows the staff to monitor both the street side and alley side from a single location. Residences face all streets providing for additional monitoring and each unit has a balcony looking over the site.</p> |
| <p>E. Landscaping</p> <p>E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites</p> <p>Where possible, and where there is not another overriding concern, landscaping</p> | <p><u>Response by the proponent:</u></p> <p>Existing on-site trees shall be retained and protected where possible. Street trees will be added per SDOT standards.</p> <p>Generous landscaping shall be provided along all street frontages.</p> |

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| <p>should reinforce the character of neighboring properties and abutting streetscape.</p> <p>E-2 Landscaping to Enhance the Building and/or Site</p> <p>Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.</p> <p>E-3 Landscape Design to Address Special Site Conditions</p> <p>The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.</p> | <p>Trellis', fencing, pedestrian gates, feature paving and pedestrian lighting shall be provided along and within street frontages.</p> <p><u>Response by the proponent:</u></p> <p>Plants are of native species in a variety of types to assure that each season is distinct and no season lacks greenery.</p> <p>Unique paving pattern are used to delineate the main entry; gravel paths connect to quaint sitting areas with public art. Patios off of the common space on the west side of the site have outdoor seating and tables with roofs for weather protection.</p> <p><u>Response:</u></p> <p>Landscaping will enhance the terraces on the northwest portion of the site. Plantings that hang over the terraces will help soften the terrace walls.</p> <p>Paths to sitting areas at opposite ends of the site allow residents the opportunity to utilize the entire length of the site.</p> <p>Significant landscaping will be added to the alley side of the site giving residents desirable patios off of units and enhance the alley.</p> |
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| Development Standard Departure Matrix | | | |
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| Development Standard Requirement | Request/Proposal | Justification | Board's Recommendation |
| <p>Lot Coverage 23.45.010.</p> <p>The maximum lot coverage permitted for principal and accessory structures shall not exceed the following limits:</p> <p>Lowrise 3 – 45 percent or 14,050 Sq.Ft. Allowed</p> | <p>Proposed Lot Coverage: 49.2%</p> | <ul style="list-style-type: none"> Due to neighborhood input, the buildings were shifted to a diagonal configuration off of the parking garage resulting in increased lot coverage. Neighborhood requested covered patio space (440 SF), that was counted in lot coverage. | <p>APPROVAL</p> |

BOARD RECOMMENDATIONS

After considering the proposed design and the project context, hearing public comment, and reconsidering the previously stated design priorities, the four Design Review Board members agree that the proponent addressed the design guidance provided in their previous meetings. The Design Review Board **recommends approval** of the design as shown in updated Master Use Permit Plans.

ANALYSIS & DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendations of at the four Design Review Board members present at the Design Review meetings and finds that their guidance is consistent with the City of Seattle

Design Review Guidelines for multifamily buildings. The Master Use Permit (MUP) plans have been updated to incorporate the Board's recommendations and the requested design departures. The Board recommended that:

- The elevations should reflect the desirable modulation and scale characteristics of the architecture on the neighboring buildings. Roof forms should be of a residential quality and be differentiated between the three structures from north to south,
- The exterior materials should be durable and maintainable, and relate to the surrounding context and include significant amounts of brick,
- A variation in textures should be achieved through the use of brick, vertical siding, horizontal board and batten and corrugated metal,
- Blank walls at the stairwells should have trellises with climbing plants and windows,
- Retaining walls with planter should be used to soften the transition between grades. The south retaining wall should be minimal height,
- Existing on-site trees should be retained and protected where possible. Street trees should be added per SDOT standards,
- Trellis', fencing, pedestrian gates, feature paving and pedestrian lighting should be provided along and within street frontages,
- Generous landscaping should be provided along all street frontages. Plants should be of a native species in a variety of types to assure the each season is distinct and no season lacks greenery,
- Unique paving patterns should be used to delineate the main entry. Patios off of the common space on the west side to the site should have outdoor seating and tables with roofs for weather protection.
- The landscaping on the northwest portion of the site should be enhance and that a significant amount of landscaping be added to the alley side of the site,
- The buildings should be shifted to a diagonal configuration,
- The neighborhood requested covered patio space (440 sq.ft.) be added to the site,

DECISION - DESIGN REVIEW

The Director accepts the Design Review Board's recommendations and approves the proposed design as presented at the April 21, 2004 meeting.

Public Comment, Master Use Permit (MUP) Review:

No comment letters were received during the comment period, which ended April 28, 2004.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent (dated March 23, 2004) and annotated by the Land Use Planner. The information in that checklist, supplemental information submitted by the proponent and the

experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 23.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part *"where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation"* subject to some limitations. Under such limitations/circumstances, (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Additionally, given the relationship of this project and an adjacent project to west by the proponent (refer to MUP project 2301966) the discussion below will consider the cumulative impacts of simultaneous developments the need for mitigation. (SMC 25.05.670 Cumulative effects policy).

Short -Term Impacts

The following temporary construction-related impacts are expected on this site and the site to the west: temporary soils erosion; increased noise from construction operations and equipment; increased traffic and parking demand from construction personnel; tracking of mud onto adjacent streets by construction vehicles; conflict with normal pedestrian movement adjacent to the site; and consumption of renewable and nonrenewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant. Although not significant, these impacts are adverse, and in some cases, mitigation is warranted.

City codes and/or ordinances apply to this proposal and the western proposal and will provide adequate mitigation for some of the identified impacts. Specifically these are: 1) Grading and Drainage Control Ordinance (storm water runoff, temporary soil erosion, and site excavation) and 2) Street Use Ordinance (tracking of mud onto public streets, and obstruction of rights-of-way during construction).

Air Quality Impacts

Construction on this site and the site to the west will create dust, leading to an increase in the level of suspended air particulates, which could be carried by wind out of the construction area. Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations will require activities, which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne.

The Street Use Ordinance also requires the use of tarps to cover the excavation material while in transit, and the clean up of adjacent roadways and sidewalks periodically. Construction traffic and equipment

are likely to produce carbon monoxide and other exhaust fumes. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency ("PSCAA") prior to demolition. Thus, as a condition of approval prior to demolition, the proponent will be required to submit a copy of the required notice to PSCAA. If asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

Noise-Related Impacts

Residential and commercial uses in the vicinity of the proposal and the western proposal will experience increased noise impacts during the different phases of construction on this site and the western site (demolition, excavation, shoring). Compliance with the Noise Ordinance (SMC 22.08) is required and will limit the use of loud equipment registering 60 dBA or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays.

Although compliance with the Noise Ordinance is required, due to the presence of some nearby residential uses, additional measures to mitigate the anticipated noise impacts may be necessary. The SEPA Policies at SMC 25.05.675.B and 25.05.665 allow the Director to require additional mitigating measures to further address adverse noise impacts during construction. Pursuant to these policies, it is Department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance may be necessary on this site and the eastern site. Therefore, as a condition of approval, the proponent will be required normally to limit the hours of construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m. (Work would not be permitted on the following holidays: New Years Day, Martin Luther King Jr.'s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day following Thanksgiving Day, and Christmas Day.)

Street and Sidewalks

The proposed on-site excavation on this site and the western site is controlled by an excavation permit. The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation (SDOT.) It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R).

This area of the City is known to have highly congested streets, especially during peak hour traffic periods. Large construction vehicle associated with demolition, excavation and materials delivery may adversely impact peak hour traffic. There are no City codes or ordinance to address the impact of large vehicles or highly congested streets. As a result, mitigation is warranted as described below.

Construction activities may result in sidewalk closures or other obstacles to pedestrians. Similarly, traffic lanes may be affected by construction staging, deliveries, etc. The impacts on pedestrians and

traffic circulation could be intensified by the cumulative effects of the two projects. Adverse impacts are not adequately mitigated by existing City codes. Thus, additional mitigation is warranted pursuant to the Construction Impacts Policy (SMC 25.05.675B) and Cumulative Effects Policy (SMC 25.05.670). A construction-phase transportation plan addressing street and sidewalk closures, as well as truck routes and hours of truck traffic, will be required to mitigate identified impacts.

Construction Parking

In addition, to this area of the City being known as having highly congested streets; it is also known as an area with a high demand for on street vehicle parking. During the public comment periods, the public express a frustration with the day to day limited available of vehicle parking and their desire for on-site vehicle parking for construction personnel.

In discussions with the project architect and proponent, on the construction/personnel schedule for this project and the western project, it was determined that during the early stages of construction on the site and the eastern site, local residences/businesses and visitors of the area will experience a reduced availability of convenient on-street vehicle parking, due to an increased demand on the nearby streets associated with the vehicles for 20 to 28 construction personnel driving and working at the two sites. It is the City's policy to minimize temporary adverse impacts associated with construction activities. In order to minimize this potential adverse impact the proponent has proposed and the City will condition the projects as follows:

1. During construction, eight vehicle spaces shall be leased and made available to construction personnel at the Sevi building, located 1 block west of the projects, at 812 5th Ave N.
2. During construction or until on site parking for the two sites is available, twenty vehicle spaces shall be leased and made available to construction personnel at the Mercer Street Garage, located 1 block south of the project, at 4th Ave N and Roy.
3. Upon the completion of the concrete phase, the parking garages on-site will provide in excess of 110 parking stalls, which is greater than the maximum number of people that will be on-site at any given time.

The authority to impose this condition is found in SMC 25.05.675B.2.g. of the Seattle SEPA ordinance.

Long-Term Impacts

Potential long-term or use impacts anticipated by this proposal and the western proposal include: increased bulk on the site; increased ambient noise associated with increased human activity and vehicular movement; minor increase in light and glare from exterior lighting, light from windows and from vehicle traffic (headlights); increased traffic and parking demand due to employees and visitors; increased airborne emissions resulting from additional traffic; increased demand on public services and utilities; and increased energy consumption. These long-term impacts are not considered significant because they are minor in scope, but some warrant further discussion.

Parking

The Land Use Code requires a total of forty-nine (49) parking spaces for this residential project. The MUP plans indicate forty-nine (49) residential parking spaces are provided.

The occupancy of the residential units could have a parking demand of up to fifty-nine (59) spaces. Should there be any spillover parking, however, spillover vehicles will be accommodated on adjacent streets because the streets are not at full capacity. Based on the above analysis no unusual parking condition exists that warrants additional parking mitigation under SEPA, therefore, additional parking mitigation is not warranted.

Traffic and Transportation

The Institute of Transportation Engineers (ITE) Trip Generation Manual (6th edition) estimates that multifamily units generate approximately 6.63 vehicles trips per unit per weekday. Based on these estimates the thirty-nine (39) units would generate approximately 259 trips per day, with approximately 20 trips in the A.M. and 24 trips in the P.M. peak hours. The table below illustrates the existing and proposed trip generation estimates:

| Trip Generation Estimates | | | |
|--|------------|------------|-------------------|
| Use(s) | AM Peak | PM Peak | Trips per weekday |
| Existing | | | |
| Administrative Office with 11,000 sq.ft. | 16 | 16 | 121 |
| | | | |
| Proposed | | | |
| 39 dwelling units | 20 | 24 | 259 |
| Net Change | 4 | 8 | 138 |
| | | | |
| MUP 2301966 | -70 | -66 | -441 |
| Net Change | -66 | -58 | -303 |

Given the net decrease in vehicle trips for the two sites into the outlying areas, no adverse impacts on traffic will occur, thus no SEPA mitigation of traffic impacts is warranted.

Other Impacts

Several codes adopted by the City will appropriately mitigate other long-term adverse impacts created by the proposal. Specifically these are: Grading and Drainage Control Ordinance (storm water runoff from additional site coverage by impervious surface); Puget Sound Air Pollution Control Agency regulations (increased airborne emissions); and the Seattle Energy Code (energy consumption in the long term).

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This

constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 (2) (c).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2) (c).

CONDITIONS – DESIGN REVIEW

1. The proponent must retain the fenestration, architectural features and elements, and arrangement of finish materials and colors presented to the Design Review Board on April 21, 2004.
2. The existing street trees shall be retained and protected.

CONDITIONS – DESIGN REVIEW (non-appealable)

3. Embed all of the design review conditions above onto the cover sheet for the MUP permit and for all subsequent permits including updated MUP Plans, and all building permit drawings.
 - The Land Use Planner shall verify compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements).
 - Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval.
 - Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
 - Compliance with the above conditions shall be verified and approved by Colin R. Vasquez, Land Use Planner, 206-684-5639 or by Vincent T. Lyons, Architect & Design Review Manager, 206-233-3823 at a Pre-construction meeting. The purpose of the meeting will be to review the approved Design Review Plans and to inform the contractor that any changes to the exterior of the building must be reviewed and approved by the Land Use Planner prior to proceeding with any proposed changes.
 - You must make an appointment with the assigned Land Use Planner or Design Review Manager at least three (3) working days in advance of scheduling a date for a Pre-construction meeting.
4. Prior to the final approval of a building permit, a field inspection appointment with the assigned Land Use Planner shall be made to ensure that compliance with the design review conditions have been achieved. The Land Use Planner will determine whether revised plans are required to be submitted following the inspection.
 - You must make an appointment with the assigned Land Use Planner or Design Review Manager at least three (3) working days in advance of scheduling a field inspection appointment.

CONDITIONS – SEPA

Prior to the issuance of the Building Permit

5. The proponent will be required to submit a copy of the Puget Sound Clean Air Agency notice of construction. If asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

6. The proponent will be required to limit the hours of construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m. (Work would not be permitted on the following holidays: New Years Day, Martin Luther King Jr.'s Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day following Thanksgiving Day and Christmas Day.)
7. Sidewalks along the project site(s) shall be kept open and safely passable throughout the construction period; particular attention should be given to keeping a sidewalk along 4th Avenue N between Aloha Street and Valley Street right-of-way open and safely passable. A determination by SDOT that closure of this sidewalk is temporarily necessary, for structural modification or other purposes, shall overrule this condition. Additionally, the proponent shall submit a construction-phase transportation plan to address street and sidewalk closures, as well as truck routes and hours of truck traffic for further mitigation of their identified impacts.
8. Construction Parking.
 - During construction, eight vehicle spaces shall be leased and made available to construction personnel at the Sevi building, located 1 block west of the projects, at 812 5th Ave N.
 - During construction or until on site parking for the two sites is available, twenty vehicle spaces shall be leased and made available to construction personnel at the Mercer Street Garage, located 1 block south of the project, at 4th Ave N and Roy.
 - Upon the completion of the concrete phase, the parking garages on-site will provide in excess of 110 parking stalls, which is greater than the maximum number of people that will be on-site at any given time. These parking stalls will be available to construction personnel and if by chance parking demand exceeds this number, the proponent shall continue to lease the stalls at the Sevi, as well as additional stalls at the Mercer Street Garage.

Signature: (signature on file) Date: November 4, 2004
Colin R. Vasquez, Land Use Planner

CRV:rgc
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